

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MITSUBISHI ELECTRIC CORP., SAMSUNG
ELECTRONICS CO., LTD., SONY CORP., THOMSON
LICENSING, THE TRUSTEES OF COLUMBIA
UNIVERSITY IN THE CITY OF NEW YORK, U.S. PHILIPS
CORP., KONINKLIJKE PHILIPS ELECTRONICS, N.V.,
VICTOR COMPANY OF JAPAN, LTD., and LG
ELECTRONICS CO., LTD.,

08 Civ. 5055 (SCR)

**NOTICE OF MOTION
TO ADMIT COUNSEL
PRO HAC VICE**

Plaintiffs,

- against -

VIZIO, INC., f/k/a V, Inc.,

Defendant.

PLEASE TAKE NOTICE that upon the annexed Declaration of Kurt M. Rogers, dated July 22, 2008, the accompanying Declaration of Mark A. Finkelstein, dated July 16, 2008, and the exhibit annexed thereto, the undersigned moves this Court for an Order, pursuant to Rule 1.3(c) of the Local Rules for the United States District Court for the Southern and Eastern Districts of New York, admitting Mark A. Finkelstein to the bar of this Court *pro hac vice* in order to argue and try the above-captioned case as counsel for Defendant Vizio, Inc.

Dated: New York, New York
July 22, 2008

LATHAM & WATKINS LLP

By: 
Kurt M. Rogers

885 Third Avenue, Suite 1000
New York, New York 10022
(212) 906-1200

Attorneys for Defendant Vizio, Inc.

To: All Counsel of Record

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MITSUBISHI ELECTRIC CORP., SAMSUNG
ELECTRONICS CO., LTD., SONY CORP., THOMSON
LICENSING, THE TRUSTEES OF COLUMBIA
UNIVERSITY IN THE CITY OF NEW YORK, U.S. PHILIPS
CORP., KONINKLIJKE PHILIPS ELECTRONICS, N.V.,
VICTOR COMPANY OF JAPAN, LTD., and LG
ELECTRONICS CO., LTD.,

08 Civ. 5055 (SCR)

**ORDER GRANTING MOTION TO
ADMIT COUNSEL PRO HAC VICE**

Plaintiffs,
- against -

VIZIO, INC., f/k/a V, Inc.,

Defendant.

This matter having been brought before the Court by motion to admit Mark A. Finkelstein *pro hac vice* to appear and participate as counsel for Defendant Vizio, Inc. in the above-captioned action, and the declaration of such attorney having been submitted in support thereof, and it appearing that such attorney is a member in good standing of the bar of the state in which he is admitted to practice law, and there are no disciplinary proceedings against him as a member of the bar in any jurisdiction; it is

ORDERED that, pursuant to Local Civil Rule 1.3(c) of this Court, Mark A. Finkelstein of the State of California bar is admitted *pro hac vice* to practice before this Court as counsel for Vizio, Inc. in these proceedings.

Dated: _____, 2008

Honorable Stephen C. Robinson
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MITSUBISHI ELECTRIC CORP., SAMSUNG
ELECTRONICS CO., LTD., SONY CORP., THOMSON
LICENSING, THE TRUSTEES OF COLUMBIA
UNIVERSITY IN THE CITY OF NEW YORK, U.S. PHILIPS
CORP., KONINKLIJKE PHILIPS ELECTRONICS, N.V.,
VICTOR COMPANY OF JAPAN, LTD., and LG
ELECTRONICS CO., LTD.,

08 Civ. 5055 (SCR)

**DECLARATION OF
KURT M. ROGERS**

Plaintiffs,
- against -

VIZIO, INC., f/k/a V, Inc.,

Defendant.

KURT M. ROGERS, pursuant to 28 U.S.C. § 1746, hereby declares under the penalty of perjury as follows:

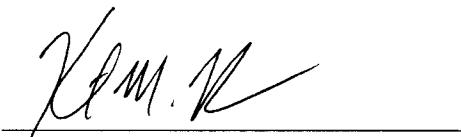
1. I am a member of the law firm of Latham & Watkins LLP, counsel for Defendant Vizio, Inc. in this action. I submit this Declaration in support of the motion, pursuant to Local Rule 1.3(c) of the Local Rules of the United States District Court for the Southern and Eastern Districts of New York, for an Order granting Mark A. Finkelstein admission *pro hac vice* to the bar of the United States District Court for the Southern District of New York in order to argue and try the above-captioned case.

2. I am a member in good standing of the bar of this Court.

3. I have reviewed the Declaration of Mark A. Finkelstein in support of the motion for admission *pro hac vice* submitted herewith, and I believe that the declaration is true and correct. Mark A. Finkelstein is fully familiar with the facts of this case.

4. Upon the foregoing facts, I respectfully request that the Court grant the motion for the admission *pro hac vice* of Mark A. Finkelstein to the bar of the United States District Court for the Southern District of New York.

I declare under penalty of perjury that the foregoing is true and correct. Executed
on this 22nd day of July, 2008, in New York, New York.



Kurt M. Rogers

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MITSUBISHI ELECTRIC CORP., SAMSUNG
ELECTRONICS CO., LTD., SONY CORP., THOMSON
LICENSING, THE TRUSTEES OF COLUMBIA
UNIVERSITY IN THE CITY OF NEW YORK, U.S. PHILIPS
CORP., KONINKLIJKE PHILIPS ELECTRONICS, N.V.,
VICTOR COMPANY OF JAPAN, LTD., and LG
ELECTRONICS CO., LTD.,

08 Civ. 5055 (SCR)

DECLARATION OF
MARK A. FINKELSTEIN

Plaintiffs,
- against -

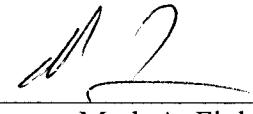
VIZIO, INC., f/k/a V, Inc.,

Defendant.

MARK A. FINKELSTEIN, pursuant to 28 U.S.C. § 1746, hereby declares under the penalty of perjury as follows:

1. I am a member of the law firm of Latham & Watkins, LLP, located at 650 Town Center Drive, 20th Floor, Costa Mesa, California, 92626.
2. I submit this Declaration in support of the motion to admit counsel *pro hac vice* in the above-captioned matter. As demonstrated by the Certificate of Good Standing annexed hereto, I am a member in good standing of the Bar of the State of California.
3. There are no pending disciplinary proceedings against me in any State or Federal Court.
4. Wherefore, I respectfully request that I be permitted to appear as counsel and advocate *pro hac vice* in the above-captioned case.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this
16 day of July, 2008, in Costa Mesa, California.



Mark A. Finkelstein



**THE STATE BAR
OF CALIFORNIA**

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

MEMBER SERVICES CENTER

TELEPHONE: 888-800-3400

July 8, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, MARK ANDREW FINKELSTEIN, #173851 was admitted to the practice of law in this state by the Supreme Court of California on December 13, 1994; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Kath Lambert
Kath Lambert
Custodian of Membership Records

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MITSUBISHI ELECTRIC CORP., SAMSUNG
ELECTRONICS CO., LTD., SONY CORP., THOMSON
LICENSING, THE TRUSTEES OF COLUMBIA
UNIVERSITY IN THE CITY OF NEW YORK, U.S. PHILIPS
CORP., KONINKLIJKE PHILIPS ELECTRONICS, N.V.,
VICTOR COMPANY OF JAPAN, LTD., and LG
ELECTRONICS CO., LTD.,

08 Civ. 5055 (SCR)

CERTIFICATE OF SERVICE

Plaintiffs,

- against -

VIZIO, INC., f/k/a V, Inc.,

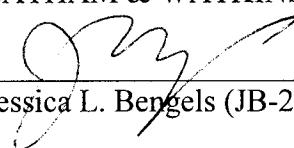
Defendant.

I, Jessica L. Bengels, hereby certify that on July 23, 2008, true and correct copies of the annexed Motion to Admit Counsel Pro Hac Vice, dated 7/22/08, [Proposed] Order Granting Motion to Admit Counsel Pro Hac Vice, Affidavit of Kurt M. Rogers in Support of Motion to Admit Counsel Pro Hac Vice, dated 7/22/08, Declaration of Perry J. Viscounty, dated 7/21/08, Declaration of Mark A. Finkelstein, dated 7/16/08, and Declaration of Ryan E. Hatch, dated 7/16/08, were caused to be served in accordance with the Federal Rules of Civil Procedure, via First Class United States Mail upon:

Garrard Russ Beeney, Esq.
Emma Gilmore, Esq.
Sullivan & Cromwell, LLP
125 Broad Street
New York, New York 10004
Attorneys for Plaintiffs

LATHAM & WATKINS LLP

By:


Jessica L. Bengels (JB-2290)

885 Third Avenue, Suite 1000
New York, New York 10022
(212) 906-1200
Counsel for Vizio, Inc.